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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/709,253 | 04/23/2004 | Brendan Coffey | RBC-031075 |

22876
 FACTOR & LAKE, LTD
 1327 W. WASHINGTON BLVD.
 SUITE 5G/H
 CHICAGO, IL 60607

CONFIRMATION NO. 3252

FORMALITIES LETTER



OC000000013066564

Date Mailed: 06/25/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

08/30/2004 MAHME1 00000056 10709253

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65.00 OP

*A copy of this notice **MUST** be returned with the reply.*

Y.G

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



**IN THE
UNITED STATES
PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Coffey et al.

CASE: 031075

SER. NO.: 10/709,253

FILING DATE: April 23, 2004

FOR: BATTERY EMPLOYING AN
ELECTRODE PELLET
HAVING AN INNER
ELECTRODE EMBEDDED
THEREIN

**RESPONSE TO NOTICE
TO FILE MISSING PARTS
(filing date granted)**

COMMISSIONER
FOR PATENTS
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Alexandria, VA 22313-1450

ATTENTION OF:

EXAMINER:

Dear Sir:

If any charges or fees must be paid in connection with the following communication, they may be paid out of our Deposit Account No. 50-0545.

This is in response to the Notice to File Missing Parts, mailed June 25, 2004, a copy of which is attached.

The Notice indicated that the executed Declaration was required. In response, Applicant herewith submits the executed Declaration and a check in the amount of \$105.00 (\$65.00 + \$40.00) for the surcharge fee and Assignment fee. Accordingly, all outstanding missing parts identified in the Notice are submitted herewith.

FACTOR & LAKE, LTD.
1327 W. Washington Blvd, Suite 5G/H
Chicago, IL 60607
(312) 226-1818 Telephone
(312) 226-1919 Facsimile

| | |
|------------------------|-------|
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| Joseph M. Kinsella Jr. | 45743 |
| Jacob D. Koering | 51890 |
| Nick Lee | 54260 |

In addition, Applicant submits herewith a fully executed assignment document, a Recordation Form Cover Sheet and associated fee.

Should anything further be required, a telephone call to the undersigned at (312) 226-1818 is respectfully solicited.

Respectfully submitted,

FACTOR & LAKE, LTD.

Dated: August 24, 2004



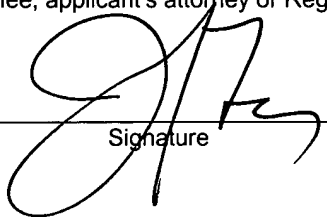
Jody L. Factor
One of Applicant's Attorneys

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Patent Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 24, 2004.

Jody L. Factor

Name of Applicant, assignee, applicant's attorney or Registered Representative



Signature